

GFMD – Civil Society Days

Workshop 2.1. Secure, regular migration can achieve stronger development impacts

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Philip Martin:

1. **Introduction:** We are not dealing with all of legal migration, but temporary labour migration programmes (TLMP).

2. **Guest workers programs** – add workers temporarily to the labor force, not settled residents to the population. All fail because of distortion and dependence.

3. Ideal situation – Trade and technology reduce the demand for migrants over time, while remittances and returns accelerate development.

4. **Key concerns:**

4.1. How can workers move from pyramid-shaped labor forces to diamond-shaped

4.2. How can policies of receiving countries welcome the skilled and rotate the unskilled. Rotation works best when: a) migrant is given a reason to depart when the job ends; b) migrant has family as reason to return; and c) migrant has economic reason, like guaranteed return next season, refund of taxes, etc.

4.3. How can we move from Guests to Developers, particularly around the 3 Rs: a) Recruitment – who goes, how do you get more virtuous rather than vicious cycles; b) Remittances – how much, how spent, and with what development impacts; and c) Returns – how many and why (to rest or retire vs entrepreneur)

5. **There is no automatic link between migration and development.** The triangle of goals – to promote labor migration, protect the migrants, and ensure development – is a challenge.

Graeme Hugo:

1. **Barriers in reducing developmental impact:** a) transactional costs in rent-taking; b) lack of infrastructure in country of origin (most communities were neglected communities) where there are also issues of exploitation and corruption; c) in most countries, there is no articulation of return policy and support; and d) there are differences in situation across the individual countries.

2. **Best practices and key issues/concerns:** a) Recruitment: reducing costs and other measures toward effective management; b) Pre-departure preparation is very important, especially for unskilled workers; c) Conceptual shift is needed in destination country; d) NGOs are very important because they can link w/ countries where governments have diplomatic constraints; d) Best practices

emerge when there is cooperation and support from countries of origin; e) A key issue for destination countries is protection for migrant workers – migrant resource centres and shelters have been shown to be effective; f) Establishing migrant-friendly development policies in both origin and receiving countries is key; and f) Migrants need to be supported upon return.

3. Solutions/recommendations:

There is a need for increase in work of civil society.

There is a need for capacity-building: to increase and strengthen institutions and people (human resources) for migration management.

Effective governance requires cooperation,

We have to make documented migration a real option over undocumented migration; costs of going as undocumented migrant are enormous. We need to create a documented system.

Best practices are needed, but it is wrong to have only one uniform solution to fit all countries.

Lawrence Dacuycoy

1. **Introductory comment:** One cannot quantify migration's benefits to families and governments in both home and destination countries.
2. **Best practices in the Philippines:**

There exists a government infrastructure to support rights of legal migrants (OWWA), as well as to look at contracts and work arrangements (POEA).

Case of skilled workers, specifically nurses: a) responsive to global shortages and recruitment practices; b) curricular upgrades to reflect trends in nursing education (adaptability and preference due to the use of English as a medium of instruction) c)

Household service workers (HSWs)

Workers' rights and welfare – bilateral agreements

Remittances – how to reduce transactional costs

Returns – several government programs for returnees; government prioritizes displaced migrant workers; important role of NGOs is underscored

3. **Issues/problems/challenges:** a) Severe underutilization of government funds for protecting workers and low availment rate of social security and health program initiatives; b) If remittances are for expenditures in consumption spending, sending country will have difficult time to implement infrastructure and development programs. There is a need for mobilization of saving and understanding the transmission process; c) There is a need to ensure the effectiveness of reforms and generate positive externality; specifically for example, improving the profile of seafarers to address heightened competition, etc.

CHAIRPERSON'S REMARKS: THREE QUESTIONS TO ANSWER

- 1. Are governments able to support and protect their citizens when they are not in their own country? What are the best practices?*
- 2. Can civil society help in integrating and empowering migrants and helping ensure benefits in sending and receiving countries?*
- 3. How can fundamental rights be realized in today's societies? What are the gaps and institutional policies that can help us uphold migrant rights?*

**DISCUSSION/OPEN FORUM: ISSUES AND RECOMMENDATIONS
(Synthesis / Summary)**

- 1. There seems to be a lack of coherence in understanding the real picture and link between the migration and development so that we tend to look only at economics rather than the social dimension. Temporary circular migration is only symptomatic of distortions in the larger picture. While we could make documented migration as a real option and preferred choice over undocumented migration, there is, at the same time a need to analyze and perhaps critique the assumptions on which 'TLMPs' is based.**

→ Circular migration and TLMPs: These concepts are now being institutionalized, creating a second class of marginalized workers – those that are not allowed to settle permanently and/or bring their families with them. We are creating a system that allows employers to exploit the workers and a situation in which, in order to find a job, workers themselves have to pay for the costs. Why are we accepting this kind of system and institutionalized arrangement?

→ The problem of discrimination is a sign of failure of migration schemes.

→ Key issues should include 3 Ds: Distortion, dependency and discrimination.

- 2. Migration ensures best developmental impact if migrants' rights are protected. Developmental impacts and migration benefits should be measured according to 4 Rs (not only 3 Rs) of migration: recruitment, remittance, returns and rights. Furthermore, human development is a fundamental human right.**

→ Circular migration is an open door to the violation of fundamental rights of workers because it's about the marginalization of workers.

→ Keeping migrant workers in circular migration 'permanently' unskilled

- 3. Governments are often unable to protect their nationals, both documented and undocumented migrant workers. The protection of fundamental rights of migrant workers is a responsibility of both origin and destination countries. Equal rights is a key issue, and the basic starting point is core conventions of UN and ILO regarding rights. Migrant workers should not be seen as commodities.**

→ Bilateral and multilateral agreements could be strengthened to ensure migrants' protection, but often such agreements are only in paper. Where they exist, enforcement and implementation continue to be a challenge. Furthermore,

nationals should have access to social security and thus there is no need for bilateral agreements.

→ Anyone who comes to work in your country and in whatever work, you should treat them equal to you as human being.

→ Access to citizenship, or opening the opportunity for citizenship, would be a solution to many of these problems, as it grants rights and equal opportunity.

4. The role of civil society cannot be overstated. Best practices, especially in the area of migrants' protection and ensuring developmental benefits in all phases of migration (recruitment, remittance, destination and return), work especially when there is cooperation between government and civil society and among various stakeholders.

5. Both sending and destination countries should work together to protect rights, pick up formulas and frameworks from UN and ILO for temporary as well as for irregular workers. It is important to remember that protection is not just about rescue only, but about rights. There are many strategies and policy options for governments to consider and implement:

→ Pursue migrant-friendly development policies

→ Promote regional cooperation strategies for negotiating agreements and implementing measures for migrants' protection, continue dialogues, etc.

→ Regulation of recruitment and effective governance (according to ILO/Un standards)

→ Range of options: flexible visa policies to citizenship access

→ Public-Private partnership in home country to create enabling environment for investments in different types of enterprises (migrants' remittances, reintegration of migrants)

→ In destination country, taxes from corporate sectors could be used to subsidize/promote protection of migrants' rights

→ Establishment of offices of labor attaché (by country of origin) and shelters and resource centres (by destination country).

→ For the UN to establish a permanent office on global migration and development to keep track of migrants and to provide support/services to migrants and victims of trafficking

